

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21225 of 2020**

Arising Out of PS. Case No.-236 Year-2020 Thana- SARAIYA District- Muzaffarpur

SHYAM KUMAR Son of Sachinanad Singh Resident of Basantpur Patti, P.S.-
Sarai, District - Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Kumar Jha

For the Opposite Party/s : Ms. Anita Kumari

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 29-06-2020 Learned Counsel for the petitioner is directed to remove all the defects, as pointed out by the Stamp Reporter, within a period of eight weeks from today.

Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State, through video conferencing.

The petitioner seeks regular bail in connection with Saraiya Police Station Case No. 236 of 2020, registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner is that the police, on the basis of secret information, raided the house of the petitioner and recovered 22.620 litres of illicit liquor.



Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case. He further submits that at the time of search and seizure, the procedure prescribed under Section 100 of the Code of Criminal Procedure, 1973. has also not been followed inasmuch as the signature of independent witnesses has not been taken on the seizure list. He further submits that the petitioner has got no criminal antecedent and he is in custody since 20.04.2020.

After having heard learned Counsel for the parties and taking into consideration the facts that the petitioner is in judicial custody since 20.04.2020 and he has got no criminal antecedent, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur, in connection with Saraiya Police Station Case No. 236 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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